

United States District Court

NORTHERN

DISTRICT OF

CALIFORNIA

E-FILED

FILED

UNITED STATES OF AMERICA

2007 JAN 25 P 3:22

V.

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

CRIMINAL COMPLAINT

SALDANA-Zamudio, Juan
(Name and Address of Defendant)

07 70036

RS

CASE NUMBER:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On a date unknown but no later than, December 01, 2006, in Santa Clara County in the Northern District of California defendant(s) was, (Track Statutory Language of Offense)

Unlawfully re-entered and was found in the United States after deportation, without the permission of the Attorney General

in violation of Title 8 United States Code, Section(s) 1326
I further state that I am a(n) Deportation Officer and that this complaint is based on the following
Official Title
facts:

SEE ATTACHED AFFIDAVIT

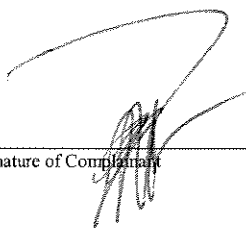
PENALTIES: \$250,000.00 fine, twenty years imprisonment and \$100.00 special assessment fee and a Term of Supervised Release up to three years.

Requested bail: Issue no bail warrant / government will request detention.

APPROVED AS TO FORM:


ASSISTANT UNITED STATES ATTORNEY

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No


Signature of Complainant

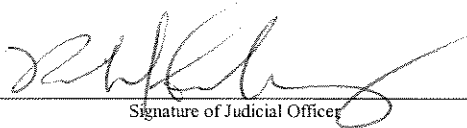
Sworn to before me and subscribed in my presence,

1/25/07
Date

at

San Jose, California
City and State

Richard Seeborg
United States Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

RE: SALDANA-Zamudio, Juan A93 142 705

I am a Deportation Officer of the United States, Department of Homeland Security, Immigration and Customs Enforcement (ICE) and have been employed since July 7, 1997. I am currently assigned to the Criminal Alien Program (CAP) Unit of the San Jose Sub-Office. In such capacity, I have reviewed the official file relating to the above named individual, which attests to the following:

- (1) Mr. SALDANA-Zamudio is a 41-year-old male who has used eight (8) aliases and one (1) date of birth in the past:
- (2) Mr. SALDANA-Zamudio has been assigned one (1) Alien Registration number of A93 142 705, FBI number of 689293CB4, California Criminal Information Index number of A22126324, and a San Clara County Department of Corrections Personal File Number (PFN) of DIC353.
- (3) Mr. SALDANA-Zamudio is a native of Mexico and a citizen of Mexico since birth. A check through Service records shows that he was arrested and deported on three (3) occasions from the United States.

DATE

December 3, 1997

October 29, 2003

August 18, 2005

PLACE OF DEPORTATION

Calexico, CA

Nogales, AZ

San Ysidro, CA

- (4) Mr. SALDANA-Zamudio last entered the United States at or near San Ysidro, CA on or after August 18, 2005, by crossing the international border without inspection subsequent to deportation.
- (5) Mr. SALDANA-Zamudio on a date unknown but no later than December 01, 2006, in Santa Clara County in the Northern District of California, was found to be unlawfully present in the United States, after a prior arrest and deportation, without the permission of the Attorney General or the Director of Homeland Security, in violation of Title 8, United States Code, Section 1326. On December 01, 2006, Mr. SALDANA-Zamudio was interviewed by Immigration Enforcement Agent (IEA) Efrain Cruz at the Santa Clara Co Elmwood Jail, Milpitas, CA, and during that interview, Mr. SALDANA-Zamudio was advised of his **Miranda** rights in Spanish. Mr. SALDANA-Zamudio waived his **Miranda** rights and provided a written sworn statement attesting to his alienage, prior deportation, and failure to obtain permission from the Attorney General or the Director of Homeland Security to re-enter the United States.

RE: SALDANA-Zamudio, Juan A93 142 705

- (6) Mr. SALDANA-Zamudio was on April 2, 1996, convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of POSS/PURCHASE FOR SALE CONTROLLED SUBSATANCE, an aggravated felony, in violation of Section 11351 of the California Health and Safety Code, and was sentenced to six (6) months in jail.
- (7) Mr. SALDANA-Zamudio was on October 22, 1996, convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of POSSESSION FOR SALE OF CONTROLLED SUBSTANCE, an aggravated felony, in violation of Section 11378 of the California Health and Safety Code, and was sentenced to two (2) years in prison.
- (8) Mr. SALDANA-Zamudio was on December 6, 2004, convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of EVADING PEACE OFFICER: DISREGARD SAFETY, a felony, in violation of Section 2800.2 of the California Vehicle Code, and was sentenced to sixteen (16) months in prison.
- (9) Mr. SALDANA-Zamudio was on January 3, 2007, convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of POSSESSION OF CONTROLLED SUBSTANCE, a felony, in violation of Section 11377(a) of the California Health and Safety Code, and was sentenced to eight (8) months in jail.
- (10) On the basis of the above information, there is probable cause to believe that Mr. SALDANA-Zamudio illegally re-entered the United States, in violation of Title 8, United States Code, Section 1326.



Trong Q. Nguyen
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me this 25th day of January, 2007



RICHARD SEEBORG
UNITED STATES MAGISTRATE JUDGE